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3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

5 GLEN SCRUGGS,

6 Petitioner,

7 vs.

8 DWIGHT NEVEN, *et al.*,

9 Respondents.  
10

Case No. 2:14-cv-00625-GMN-CWH

**ORDER**

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12 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254  
13 by a Nevada state prisoner.

14 Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1). Based on the  
15 information regarding petitioner's financial status, the Court finds that the motion to proceed *in*  
16 *forma pauperis* should be granted. The petition shall now be filed and served on respondents.

17 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (ECF  
18 No. 1) is **GRANTED**.

19 **IT IS FURTHER ORDERED** that the Clerk shall **FILE and ELECTRONICALLY**  
20 **SERVE** the petition upon the respondents.

21 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from entry  
22 of this order within which to answer, or otherwise respond to, the petition. In their answer or other  
23 response, respondents shall address all claims presented in the petition. Respondents shall raise all  
24 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and  
25 procedural default. **Successive motions to dismiss will not be entertained**. If an answer is filed,  
26 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in  
27 the United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have  
28 **forty-five (45) days** from the date of service of the answer to file a reply.

1           **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents shall  
2 be filed with a separate index of exhibits identifying the exhibits by number or letter. The hard copy  
3 of all state court record exhibits shall be forwarded, for this case, to the staff attorneys in the **Reno**  
4 Division of the Clerk of Court. The hard copy of all exhibits submitted to the Court shall be tabbed  
5 and shall be bound along the top edge of the pages.

6           **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the Attorney  
7 General of the State of Nevada a copy of every pleading, motion, or other document he submits for  
8 consideration by the Court. Petitioner shall include with the original paper submitted for filing a  
9 certificate stating the date that a true and correct copy of the document was mailed to the Attorney  
10 General. The Court may disregard any paper that does not include a certificate of service. After  
11 respondents appear in this action, petitioner shall make such service upon the particular Deputy  
12 Attorney General assigned to the case.

13           **DATED** this 20th day of October, 2014.

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Gloria M. Navarro, Chief Judge  
United States District Court